

North Carolina Sheriffs' Association

Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

June 25, 2010

The push continues this week for the House and Senate to reach an agreement on this year's State Budget Bill. The conventional wisdom is that an agreement is close, but until a complete agreement is reached there can be no budget bill. If the legislators are unable to agree on a budget bill by next Wednesday, June 30th they will need to enact a "continuing resolution" to keep government in operation until the budget bill is adopted. House and Senate leaders have both said that their goal is to get a budget bill prior to the new fiscal year beginning on July 1st.

This week saw a lot of activity at the General Assembly with hundreds of video gaming employees bused in, allegedly by the company owners, to protest the legislation that will continue to outlaw video gaming in North Carolina. The bill to make it clear that video gaming is outlawed in North Carolina has passed the Senate and is now pending in the House Judiciary I Committee. It is likely that the bill will be considered in the next week or two and we anticipate that it will be approved by the House and sent to Governor Bev Perdue for her signature.

The House and Senate adjourned on Thursday to reconvene on Monday evening.

BILL STATUS

HOUSE BILL 80, Ban Electronic Sweepstakes, was approved by the Senate by a vote of 47 to 1 and was sent to the House for further consideration where it was referred to the House Judiciary I Committee.

HOUSE BILL 1307, No Felon as Sheriff, was originally a bill dealing with controlled substances issues. This week the Senate removed the previous contents of the bill and inserted the language that would allow for a constitutional amendment to be voted on by the voters in North Carolina to prohibit a convicted felon from serving as sheriff. This legislation has been sought by and supported by the North Carolina Sheriffs' Association. The bill was scheduled this week in the Senate Rules Committee where it received minimal discussion, and then a unanimous vote of approval on Wednesday. Then the Senate leadership suspended the rules so that it could be placed on the calendar for immediate consideration later that day by the full Senate.

When it was considered by the full Senate, the bill sponsor, Senator Stan Bingham, briefly explained the bill and there were no questions, discussion or debate. The bill was approved by a vote of 46 to 1. The bill was then sent to the House for further consideration and referred to the House Judiciary

III Committee. We anticipate that the committee will consider the bill in the next week or two and we expect the bill to be approved and sent to the full House for approval prior to being sent to Governor Bev Perdue for her signature.

Senator Stan Bingham (the bill's sponsor), Senator Marc Basnight (President Pro Tempore), and Senator David Hoyle (Rules Committee Chairman) all went the extra mile to get this legislation approved by the Senate this year. There were numerous other senators that assisted Senator Bingham in getting the bill approved.

We also owe a tremendous debt of gratitude to John Aldridge, Special Deputy Attorney General, and Joy Strickland, Assistant Attorney General of the Law Enforcement Liaison Section of the North Carolina Department of Justice. Both of these attorneys worked closely with us to ensure that the new language being added to the Constitution will ensure that no convicted felon will ever be appointed or elected to serve as sheriff in North Carolina. We are grateful to Attorney General Roy Cooper for allowing his staff to assist the sheriffs of North Carolina and the General Assembly members in drafting this important legislation.

Once the legislation is approved by the General Assembly and signed into law by Governor Bev Perdue, the State Board of Elections will put an issue on the ballot across North Carolina in the November, 2010 election asking the citizens of North Carolina whether or not they wish to amend the North Carolina Constitution to adopt the new language that will prohibit a felon from serving as sheriff in North Carolina. **This legislation is a top priority this year of the North Carolina Sheriffs' Association.**

HOUSE BILL 1717, Modernization of the State ABC System, passed the House and has been referred to the Senate Judiciary II Committee.

HOUSE BILL 1729, Motor Vehicles Law Changes, was amended in the Senate to make various changes to the law regarding dealer license plates and transporter plates.

HOUSE BILL 1753, School Bus Railroad Crossing Exception, has been approved by the House and Senate and enacted into law.

HOUSE BILL 1841, Moore County School Board Police, was approved by the House Judiciary I Committee and re-referred to the House Education Committee.

HOUSE BILL 1935, Mecklenburg Law Enforcement Cap Upped/Stipend, has been signed by Governor Bev Perdue into law.

HOUSE BILL 2066, Special Retirement Allowances, passed the House State Government Committee and has been re-referred to the House Pensions and Retirement Committee.

SENATE BILL 721, Unauthorized Practice of Medicine/Felony, is a bill that contained language on a different subject, but the previous language was removed from the bill and it was rewritten to now include language making it a Class I felony for someone to practice medicine or surgery without a license, whereas the former penalty for this crime was a Class 1 misdemeanor. This legislation is now in the House assigned to the House Judiciary I Committee.

If you would like a copy of any of the legislation introduced or considered by this year's General Assembly, copies are available on the General Assembly's World Wide Web site: www.ncleg.net.

You may also receive one copy of as many bills as you are interested in, free of charge, by calling the General Assembly's Printed Bills office at 919/733-5648. They will need to know if it is a House bill or Senate bill and the bill number. (For example, Senate Bill 8).

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